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21 and Roger Jinteh Arrigo Chen

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

1 THE REGENTS OF THE UNIVERSITY OF  
2 CALIFORNIA, a California corporation,

3 Plaintiff,

4 vs.

5 ROGER JINTEH ARRIGO CHEN, an  
6 individual; GENIA TECHNOLOGIES, INC.,  
7 a Delaware corporation; and DOES 1-25,

8 Defendants.

Case No. 3:16-cv-7396-EMC

**JOINT STIPULATION AND**  
**[PROPOSED] ORDER TO MODIFY**  
**DEADLINES** (modified)

1 Plaintiff Regents of the University of California's ("Plaintiff") and Defendants Roger  
2 Jinteh Arrigo Chen ("Chen") and Genia Technologies, Inc. ("Genia") and, together with Chen,  
3 "Defendants" (collectively, Plaintiff and Defendants are referred to as the "Parties"), have met-  
4 and-conferred and jointly stipulate and request as follows:

5 WHEREAS, following a mediation held on May 1, 2018, the Parties have entered into an  
6 agreement in principle to settle this case, and the Parties require additional time to finalize a  
7 definitive settlement agreement so that the case may be dismissed in its entirety following the  
8 execution of that definitive agreement.

9 WHEREAS, the Court has previously entered stipulations order extending deadlines to  
10 allow the parties to finalize the settlement agreement (Docs. 95, 98), and the parties now require  
11 additional time.

12 WHEREAS, the Parties have agreed to suspend further discovery activity and deadlines  
13 until July 30, 2018 (including any deadlines for briefing relating to any motions pending before  
14 the Court) while the Parties finalize the definitive agreement.

15 WHEREAS, the Parties are working diligently to finalize the definitive agreement and  
16 anticipate doing so within the coming two weeks.

17 WHEREAS, in accordance with their agreed suspension of discovery activity and  
18 deadlines, the Parties respectfully request the following modifications of additional deadlines set  
19 by the Court:

- 20 1. The Court has set a Status Conference in this case for July 19, 2018 (Doc. 98). In  
21 order to allow the Parties time to finalize their settlement, the Parties hereby agree  
22 and request that the Court re-set this Status Conference for August 9, 2018, as noted in  
23 the Proposed Order attached hereto, or for an alternate date in early August 2018  
24 convenient for the Court.
- 25 2. In its June 5, 2018 order (Doc. 98), the Court re-set the hearing on Defendants'  
26 Motion to Join Oxford Nanopore Technologies, Inc. (Doc. 87) ("Defendants'  
27 Motion") to September 6, 2018, and the deadlines for the Parties to file their response and

1 reply in connection with this motion to July 20, 2018 and August 3, 2018, respectively.  
2 In order to allow the Parties time to finalize their settlement, the Parties hereby agree and  
3 request that, as noted in the Proposed Order attached hereto: the time for Plaintiff  
4 to file its Response to Defendants' Motion be extended to and including, August 10,  
5 2018; the time for Defendants to file their reply in support of Defendants' Motion be  
6 extended to and including August 24, 2018; and the hearing on Defendants' Motion be  
7 re-set for September 13, 2018.

- 8 3. In its June 5, 2018 order (Doc. 98), the Court set a deadline of July 11, 2018 for  
9 Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with  
10 the Court's April 27, 2018 order (Doc. 94). In order to allow the Parties additional time  
11 to finalize their settlement, the Parties hereby agree and request that the time for  
12 Defendants to file these revised documents pursuant to Local Rule 79-5(f) be extended to  
13 and including July 25, 2018, as noted in the Proposed Order attached hereto.  
14 4. In its April 3, 2018 (Doc. 85) order modifying trial deadlines, the Court set the following  
15 deadlines:

- 16 a. Dispositive Motions: Last day to be *heard* 11/18/2018 at 1:30pm;  
17 b. Non-Expert Discovery Cut-Off: 7/2/2018;  
18 c. Opening Expert Reports: 8/16/2018;  
19 d. Rebuttal Expert Reports: 9/6/2018;  
20 e. Expert Discovery Cut-Off: 9/27/2018;

21 In order to permit the parties to finalize their settlement agreement, the parties  
22 respectfully request that the Court extend those deadlines as follows:

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- 24 a. Dispositive Motions: Last day to be *heard* 11/25/2018 at 1:30pm;  
25 b. Non-Expert Discovery Cut-Off: 7/30/2018;  
26 c. Opening Expert Reports: 8/30/2018;  
27 d. Rebuttal Expert Reports: 9/20/2018;  
e. Expert Discovery Cut-Off: 10/4/2018;

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2 WHEREAS, the Parties have met and conferred and agree that there is good cause for  
3 these stipulated modifications, and that this stipulation is not made for purposes of delay, but  
4 rather so that the Parties can finalize the settlement of this case, which they are working  
5 diligently to do. Thus, the Parties respectfully request that the Court sign the Proposed Order  
6 attached hereto.

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8           **SO STIPULATED**

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11           DATE: July 1, 2018

12           **BAKER BOTTS LLP**

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## **ATTORNEY ATTESTATION**

I, Robert B. Gunther, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(i)(3), I hereby attest that the concurrence in the filing of the document has been obtained from each of the signatories.

/s/ Robert B. Gunther  
Robert B. Gunther

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on July 1, 2018, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Robert B. Gunther  
Robert B. Gunther

**[PROPOSED] ORDER**

IT IS SO ORDERED that the foregoing Joint Stipulation is approved.

The Court HEREBY ORDERS as follows:

1. The Status Conference in this case for July 19, 2018 is hereby vacated and reset for August 9, 2018.
  2. The deadline for Plaintiff to file its response to Defendants' Motion to Joint Oxford Nanopore Technologies, Inc. (Doc. 87) shall be extended to and including August 10, 2018, and the deadline for Defendants to file any reply for that Motion shall be extended to August 24, 2018.
  3. Defendants' Motion to Join Oxford Nanopore Technologies, Inc. shall be set for hearing on September 13, 2018.
  4. The deadline for Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with the Court's April 27, 2018 order (Doc. 94) shall be extended to and including July 25, 2018.
  5. The following modified deadlines are hereby ordered, replacing the previously-ordered dates for these deadlines:

Dated: 7/3/2018

Last day to be *heard* 11/25/2018 at 1:30pm;

7/30/2018;

8/30/2018;

9/20/2018;

10/4/2018;

